HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 15835 of 2002

Dated 18th July, 2007

Between
B.Jangaiah

…Petitioner

and

The Prohibition and Excise Superintendent,
Ranga Reddy, Hyderabad, and, anr

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO :15835 of 2002

ORDER:

The petitioner, President of Toddy Cooperative Society, Peerzadiguda village, Ghatkesar Mandal, Ranga Reddy District, filed this Writ Petition seeking Writ of Mandamus to declare the action of the respondents in interfering with the sale of toddy as illegal and arbitrary.

It is the case of the petitioner that he is the President of Toddy Cooperative Society, Peerzadiguda village, which was granted licence bearing No. 10, dated 2-5-2002. It is the grievance of the petitioner that in spite of circular instructions which permit sale of toddy not only in the licensed premises but also in the topes where the toddy trees are allotted to the society, but however, the respondents are not allowing such sales.

Under the scheme of Prohibition and Excise Act and Rules

made thereunder, licence, which is given to the petitioner, authorizes sale of toddy only from the licensed premises, i.e. premises owned by Sri Gonji Bakkaiah, situated in Sy.No. 59 Peerzadiguda, In the licence, boundaries of the premises are also mentioned. As per the Statutory Rules, a licensee can sell toddy from the licensed premises. As there is no licence to sell the toddy from any other place, the petitioner cannot be permitted to sell the toddy from the topes where toddy trees are allotted to the society. I do not find any merit in the Writ Petition.

The Writ Petition is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 18-7-2007
Msnr.